# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

| HITUL GANDHI, individually and           | ) |                         |
|--|---|-------------------------|
| on behalf of a class of others similarly | ) |                         |
| situated,                                | ) |                         |
|  | ) |                         |
| Plaintiffs,                              | ) |                         |
|  | ) |                         |
| <b>v.</b>                                | ) | Case No.: 08-CV-0248 LY |
|  | ) |                         |
| DELL, INC. and                           | ) |                         |
| DELL MARKETING USA, L.P.                 | ) |                         |
|  | ) |                         |
| Defendants.                              | ) |                         |

# NOTICE OF FILING CONSENTS TO BECOME PARTY PLAINTIFFS

PLEASE BE ON NOTICE, that Plaintiffs hereby file Consent to Become a Party Plaintiff forms, attached hereto as Exhibit A, for the following individual class members:

1. Nicholas Stewart

**DATED:** September 26, 2008 Respectfully submitted,

### STUEVE SIEGEL HANSON LLP

/s/ Matthew L. Dameron

George A. Hanson (admitted *pro hac vice*) Matthew L. Dameron (admitted *pro hac vice*) 460 Nichols Rd, Suite 200

Kansas City, Missouri 64112

Tel: 816-714-7100 Fax: 816-714-7101 J. Derek Braziel
Texas Bar No. 00793380
Meredith Black-Matthews
Texas Bar No. 24055180
LEE & BRAZIEL, LLP
1801 North Lamar Street, Suite 324
Dallas, Texas 75202

Tel: (214) 749-1400 Fax: (214) 749-1010

#### **ATTORNEYS FOR PLAINTIFFS**

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies on September 26, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Jeffrey C. Londa

E-mail: jeffrey.londa@ogletreedeakins.com

OGLETREE DEAKINS NASH SMOAK & STEWART, P.C.

500 Dallas Street, Suite 3000 Houston, Texas 77002-4709

Tel: (713) 655-0855 Fax: (713) 655-0020

Michael W. Fox

E-mail: michael.fox@ogletreedeakins.com

OGLETREE DEAKINS NASH SMOAK & STEWART, P.C.

301 Congress Avenue, Suite 1250

Austin, Texas 78701 Tel: (512) 344-4711 Fax: (512) 344-4701

ATTORNEYS FOR DELL INC. and DELL MARKETING USA, L.P.

/s/ Matthew L. Dameron
Attorney for Plaintiffs

SSH 0642-104236 2